

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT
★ JUL 14 2005 ★

-----X
ROBERT RIVERA,

Petitioner,

-against-

DAVID MILLER,

Respondent.
-----X

P.M. JUDGMENT
TIME A.M. 05-CV- 0809 (FB)

A Memorandum and Order of Honorable Frederic Block, United States District Judge, having been filed on June 13, 2005, dismissing petitioner's petition as untimely; and ordering that a Certificate of Appealability will not issue; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondent; that petitioner's petition is dismissed as untimely; and that a Certificate of Appealability will not issue.

Dated: Brooklyn, New York
June 13, 2005

ROBERT C. HEINEMANN
Clerk of Court